

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TROY E BELCHER,

Plaintiff,

V.

LEZLIE PICKETT et al.

Defendants.

CASE NO. C11-5452-RBL-JRC

ORDER ADOPTING A REPORT AND RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. J. Richard
Creatura, United States Magistrate Judge, objections to the Report and Recommendation, if any,
and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants motion for summary judgment is GRANTED and this action is dismissed with prejudice. Defendant's placement of plaintiff in a more secure housing unit and the restrictions placed on him were treatment decisions and the exercise of professional judgment. Romero v. Youngblood, 457 U.S. 307, 323 (1982). Plaintiff presented no evidence to contradict these facts.
- (3) In forma pauperis status is revoked for purpose of appeal.

DATED this 11th day of April, 2012.

Ronald B. Lightner

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE